



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Wednesday, the Sixth day of April Two Thousand and Twenty Two

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CMP (MD) No.2775 of 2022
in
SA No.1711 of 2000

- 1 K.INBALATHA
- 2 R.C.KRISHNAMOORTHY
- 3 R.C.KESAVAMOORTHY (DIED) ... (DECEASED 3rd APPELLANT)
- 4 R.C.RAMAMOORTHY (DIED) ... (DECEASED 4th APPELLANT)
- 5 A.SARADHAMANI
- 6 G.GEETHAMANI (DIED) ... (DECEASED 6th APPELLANT)
- 7 S.PRABHA
- 8 N.SHARMALA
- 9 J.KISHOREKUMAR
- 10 J.KALYANAKUMAR
- 11 J.RAJAKUMAR ... PETITIONERS/ APPELLANTS
- 12 K.AMARAVATHI
- 13 K.VIJAY
- 14 R.SHAPNA ... PETITIONERS 12 TO 14/ PROPOSED APPELLANTS/ LR'S OF DECEASED 3rd APPELLANT
- 15 R.INBALATHA
- 16 K.SONA
- 17 DIANA
- 18 S.MARTINA ... PETITIONERS 15 TO 18/ PROPOSED APPELLANT/ LR'S OF DECEASED 4th APPELLANT
- 19 A.GNANADESIGAN
- 20 G.RAJA SUNDAR
- 21 G.DANIEL PRADEEP SUNDAR
- 22 G.NAVEEN SUNDAR ... PETITIONERS 19 TO 22/ PROPOSED APPELLANTS/ LR'S OF DECEASED 6th APPELLANT



Vs

1 T.DHANARAJ (DIED)

... DECEASED SOLE RESPONDENT

2 SHENBAGADEVI

3 POOJA

... RESPONDENTS 2 AND 3/ PROPOSED RESPONDENTS/
L.R's OF THE SOLE RESPONDENT

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to condone the delay of 962 days in filing the petition to set aside the abatement caused due to the death of sole respondent namely T.Dhanaraj in the above S.A. No.1711 of 2000, on the file of this Honourable Court and thus render justice.

PRAYER IN SA No.1711 of 2000:

To set aside the decree and judgment dated 22.03.2000 rendered in A.S.No.41 of 1999 on the file of the Additional District Judge, Tuticorin, in so far as the findings are concerned by reversing the decree and judgment dated 22.01.1997 rendered in O.S.No.98 of 1992 on the file of the District Munsif of Srivikundam by allowing this Second Appeal.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/s.P.JESSI JEEVA PRIYA, Advocate for the petitioners, the court made the following order:-

On the side of the petitioners, it is stated that the petitioners are not aware of the death of the sole respondent and there is a delay of 962 days in taking steps for the deceased sole respondent.

The reasons are not satisfactory. But the legal heirs of the sole respondent are necessary parties to this case. Hence, this petition is allowed on payment of Rs.500/- to Siddha unit attached to this Court on or before 18.04.2022.

Call on 21.04.2022.

sd/-

06/04/2022

/ TRUE COPY /

/ /2022

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

1 THE ADDITIONAL DISTRICT JUDGE,
TUTICORIN

2 THE DISTRICT MUNSIF,
SRIVIKUNDAM.

COPY TO:
THE OFFICER INCHARGE,
SIDDHA UNIT,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CMP (MD) No.2775 of 2022 in
SA No.1711 of 2000
Date :06/04/2022

SSB
MS/JM/SAR-4/11.04.2022/3P.4C